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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,074	08/19/2003	Robert L. Alcorn	072575-0048	3054
41552 7590 11/20/2009 MCDERMOTT, WILL & EMERY 11682 EL CAMINO REAL SUITE 400 SAN DIEGO, CA 92130-2047			EXAMINER NGUYEN, PHILLIP H	
			ART UNIT 2191	PAPER NUMBER
			NOTIFICATION DATE 11/20/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

SIP_Docket@mwe.com

Office Action Summary	Application No. 10/643,074	Applicant(s) ALCORN ET AL.	
	Examiner Phillip H. Nguyen	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed 8/25/2009.
2. Claims 1-16 remain pending in this application with claims 1, 7, 9, and 13 amended.
3. Claims 1-16 have been considered below.

Response to Amendment

4. The amendment to the first paragraph on page 3 of the specification to clarify the medium in the claims has been entered.
5. The 35 U.S.C. 101 non-statutory rejection to claims 7, 8, 13-16 is hereby withdrawn in view of applicant's amendment to clarify the deficiencies.
6. The 35 U.S.C. 103(a) rejection to claims 1-16 is hereby withdrawn in view of applicant's amendment to clarify the claimed invention. An objection to claim 7 is issued for clarification purposes.

Response to Arguments

7. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

8. Claim 7 objected to because of the following informalities: Applicant is suggested to amend the first limitation of claim 7 from "a user interface is stored in computer-readable memory" to "a computer-readable memory stored a user interface". Appropriate correction is required.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-5 and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,470,171 to Helmick et al. ("Helmick"), in view of U.S. Patent No. 7,107,548 to Shafron.

As per claim 1:

Helmick teaches

providing a user interface (see **FIGS. 3A-3X**; see also col. 7: 47 "**provide the web pages**");

installing on a server a file compatible with a known system application program (see at least col. 7:39-41 "**Server 36 stores a database structure in**

secondary storage 50, for example, for storing and maintaining information for on-line educational courses");

invoking an enhanced system functionality by using the user interface (see at least **FIGS. 3A-3X** – *Note: instructors and users using these web browser for on-line education*);

specifying in the file one or more roles of a user that can utilize the enhanced system functionality (see at least **FIGS. 2A-2R**);

determining if the user has rights to utilize the enhanced system functionality based on the role of the user (see at least col. 10:5-8 **"The system determines if the log-on is from an instructor or from a user, which may be determined by comparing information in the log-on request with information the database identifying authorized users and instructors. If an instructor logs on, the system displays an instructor view of a course home page such as home page screen 800. Otherwise, the system displays a user view of a course home page such as home page screen 842"**); and

if the user has rights, granting access to the user to utilize the enhanced system functionality (see at least col. 10:20-24 **"If the instructor or user is permitted access, the system displays an electronic syllabus in syllabus section 806 for a selected educational course and also displays an indication of content concerning educational materials for the course"**).

Helmick does not explicit teach

wherein the installed file utilizes the known API to modify the user interface for at least one user of the system.

However, Shafron teaches

wherein the installed file utilizes the known API to modify the user interface for at least one user of the system (see at least col. 19:1-8 "**The function Window also makes it possible for browser windows that do not have a copy of the BIO Library open to access built-in Application Programming Interfaces (APIs) for Plug-ins (i.e., functionality made available to the Internet user through the browser interface 20 and via the Plug-in functionality), such as those provided with Netscape Navigator and Microsoft Internet Explorer...**"; see also col. 4:61-67 – col. 5:1-4 "**The present invention uses an object linking and embedding (OLE) in-process server to control the information and/or functionality of a browser interface. Using an ActiveX control or a browser Plug-in (each being referred to herein as a browser interface overlay (BIO) Library) contained in a library file, virtually any information and/or functionality available with an ActiveX control or Plug-in may be added to a browser interface using the present invention. The library file (via the BIO Library) thus includes the code required to customize, i.e., add, remove and/or modify the browser interface**").

Therefore, it would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify Helmick to incorporate the teaching of Shafron to use Plug-in APIs for adding functionalities to the education environment by

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modify the browser interface. The modification would have been obvious because it would allow the user to customize and control the information and/or functionality of a browser interface.

As per claim 2:

Helmick further teaches

storing the one or more roles into a system data repository (see at least

FIGS. 2A-2R).

As per claim 3:

Helmick further teaches

wherein the enhanced system functionality is provided by at least one of a

hyperlink and an icon (see at least **FIGS. 3A-3X).**

As per claims 4, 10 and 14:

Helmick further teaches

wherein the one or more roles comprise at least one of user administrator,

course administrator, system support, observer, support, portal administrator,

system administrator, instructor, student and teacher's assistant (see at least

FIGS. 2A-2R).

As per claim 5:

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Helmick further teaches

denying access to the enhanced system functionality if the user does not have access rights (see at least col. 10:19-20 **"If access is not permitted, the system may display an error message"**).

As per claims 7, 9 and 13:

Helmick further teaches

a computer-readable memory stored a user interface (see at least **FIGS. 3A-3X**); and

an authentication user interface configured to verify a role of a user in the extensible educational system, and grant or deny a user access to the new functionality based on the role of the user in the extensible educational system, wherein the role of a user comprises at least one of: user administrator, course administrator, system support, observer, support, portal administrator, system administrator, instructor, student and teacher's assistant (see at least col. 10:1-25 **"the system receives a log-on request by a user. The log-on request may include, for example, a user's or instructor's name or other identifying information along with an optional password. The system determines if the log-on is from an instructor or from a user, which may be determined by comparing information in the log-on request with information the database identifying authorized users and instructors...The system determines if the instructor user is permitted access to the on-line educational system. If**

access is not permitted, the system may display an error message.

Otherwise, if the instructor or user is permitted access, the system displays an electronic syllabus in syllabus section 806 for a selected educational course and also materials for the course").

Helmick does not explicitly teach

a plug-in manager configured to add new functionality to the extensible education system by modifying the user interface.

However, Shafron teaches

a plug-in manager configured to add new functionality to the extensible education system by modifying the user interface see also col. 4:61-67 – col. 5:1-4 **"The present invention uses an object linking and embedding (OLE) in-process server to control the information and/or functionality of a browser interface. Using an ActiveX control or a browser Plug-in (each being referred to herein as a browser interface overlay (BIO) Library) contained in a library file, virtually any information and/or functionality available with an ActiveX control or Plug-in may be added to a browser interface using the present invention. The library file (via the BIO Library) thus includes the code required to customize, i.e., add, remove and/or modify the browser interface").**

Therefore, it would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify Helmick to incorporate the teaching of Shafron to use Plug-in APIs for adding functionalities to the education environment by

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modify the browser interface. The modification would have been obvious because it would allow the user to customize and control the information and/or functionality of a browser interface.

As per claims 8, 11 and 15:

Helmick further teaches

wherein the plug-in manager and the authentication user interface are invoked using the user interface (see at least *FIGS. 3A-3X*).

As per claims 12 and 16:

Helmick further teaches

wherein the user interface is displayed by installing one or more files on a server (see at least *FIGS. 3A-3X*).

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Helmick et al. (USPN 6,470,171), in view of Gupta et al. (U.S. Patent No. 6,484,156, hereinafter Gupta).

As per claim 6:

Helmick does not explicitly teach

wherein the file is installed on the server by using a Java Archive file.

However, official notice is taken that the file is installed on the server by using a Java Archive file is well known in the art at the time the invention was made to compress plurality of files into one compressed file.

Therefore, one would have been motivated to store/install the file using Java Archive File because it provides security (e.g., a JAR file can be digitally signed enabling users to verify the signature and then grant the program security privileges), decreased download time (e.g., since the JAR file is compressed, it takes less time to download than it would have to download each individual file), portability (e.g., all Java Runtime Environments know how to handle Jar files), etc.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip H. Nguyen whose telephone number is (571) 270-1070. The examiner can normally be reached on Monday - Thursday 10:00 AM - 3:00 PM EST.

15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PN

11/12/2009.

/Wei Y Zhen/

Supervisory Patent Examiner, Art Unit 2191